

FEBRUARY 22, 2006 MEETING

374 HALL OF ADMINISTRATION

MINUTES

Commissioners Present

Renée Campbell, President
Steven Afriat, Vice President
Diana Wood, Secretary
James Barger
Martha Molina-Aviles

County Representatives

Joseph Dangerfield, Treasurer Tax
Evert Emerson, District Attorney
Art Gutierrez, District Attorney
Ken Kladifko, District Attorney
Javier Martinez, Public Works
Brandi Moore, County Counsel
Lieutenant Henry Romero, Sheriff
Vivian Tan, Health Services

Court Reporter

Michelle Diaz

Commission Services Staff

Steve Erickson

CALL TO ORDER

President Campbell called the meeting to order at 9:05 a.m. Applicants, witnesses and translators were sworn to testify truthfully.

MINUTES:

ACTION TAKEN: MINUTES of February 15, 2006 – Approved

Motion: Commissioner Wood, seconded by Vice President Afriat

Ayes: Commissioner Wood, Commissioner Barger, Vice President Afriat and President Campbell

Vote: Unanimously carried

(Commissioner Molina-Aviles joined the meeting.)

**RECOMMENDATION TO DENY FOOD ESTABLISHMENT BUSINESS LICENSE, ID
#132581**

Monica's Market
3845 Blanchard Street
Los Angeles (First District) (Continued from February 15, 2006)

The applicant In Sil Hwang agreed to proceed with the hearing without an attorney.

Evert Emerson, District Attorney, described gang activity in and around the market. He alleged that the owner has allowed the use of illegal slot machines and has operated without a business license.

Joseph Dangerfield, Treasurer Tax, also spoke on the business operating without a business license and presented a timeline of investigations of the business.

Vivian Tan, Health Services, spoke on health inspections of the business on November 18, 2005 and January 31, 2006. After health code violations such as vermin infestation, the health permit to operate the business was suspended for 14 days on February 6, 2006.

Lieutenant Henry Romero, Sheriff's Department, spoke on violence, graffiti and gang activity in and around the business. He reported that assault weapons were found near the business.

Art Gutierrez, District Attorney, reported on the D.A.'s citations of the business for use of slot machines and spoke on sale of drugs in and around the business.

Javier Martinez, Public Works Building and Safety, indicated he was a building inspector and coordinator of a nuisance abatement team in East Los Angeles. He spoke on abatement inspections of the business and reported various structural, electrical and plumbing violations of the business. He reported he met with the applicant and sent her a notice of the violations.

Ken Kladifko, District Attorney, spoke on the business's violations of the workers comp and labor codes. He noted a criminal case was filed against the owner.

The Commission advised the applicant she had the right to respond or not respond to the testimony at the hearing.

The applicant spoke on the operation of her business, including her repairs of the business and payment of fees and taxes. She emphasized she diligently removes graffiti and doesn't sell alcohol to minors.

The Commission then closed the public hearing.

Commissioner Molina-Aviles made a motion, seconded by Vice President Afriat, to deny the applicant's business license and to direct Health Services, Regional Planning and Building and Safety to take actions against the business.

Brandi Moore, County Counsel, advised the Commission they lacked the authority to direct these county departments in this matter.

Commissioner Molina-Aviles, Vice President Afriat and President Campbell described findings why they would deny the license, including the illegal use of slot machines, Health Department violations, failure to abate graffiti, and gang activity at the business.

ACTION TAKEN: The Commission upheld the recommendation to deny the above license and the applicant's appeal.

Motion: Commissioner Molina-Aviles, seconded by Vice President Afriat

Ayes: Commissioner Barger, Commissioner Molina-Aviles, Commissioner Wood, Vice President Afriat and President Campbell

Vote: Unanimously carried

ACTION TAKEN: The Commission recommended that Health Services continue to pursue its enforcement activities against the business.

Motion: Commissioner Barger, seconded by Commissioner Molina-Aviles

Ayes: Commissioner Barger, Commissioner Molina-Aviles, Commissioner Wood, Vice President Afriat and President Campbell

Vote: Unanimously carried

ACTION TAKEN: The Commission recommended that Building and Safety work with the First District, the Community Development Commission, Regional Planning and the owner to look at options for the property.

Motion: Commissioner Molina-Aviles, seconded by Vice President Afriat

Ayes: Commissioner Barger, Commissioner Molina-Aviles,
Commissioner Wood, Vice President Afriat and
President Campbell

Vote: Unanimously carried

PUBLIC COMMENT: Evert Emerson, District Attorney, thanked the Commission for their decision today to deny the business license.

COMMISSIONER COMMENTS: There were none.

MATTERS NOT ON THE POSTED AGENDA: Commissioner Barger requested that the Commission consider revising the hearing notices sent to applicants.

ADJOURNMENT: The Commission adjourned at 11:40 a.m.

Renée Campbell
President